

FILED

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N.J. BOARD OF NURSING

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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF NURSING

IN THE MATTER OF THE LICENSURE OF	:	Administrative Action
	:	
PATRICIA CARISTO, R.N.	:	
License # 26NR11851800	:	CONSENT ORDER
	:	
TO PRACTICE NURSING	:	
IN THE STATE OF NEW JERSEY	:	
	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information from Seabrook House ("Facility"), Bridgeton, New Jersey that, effective September 27, 2013, Patricia Caristo, R.N. ("Respondent") was terminated from her position due to "occupational and professional misconduct" as it relates to the Health Insurance Portability and Accountability Act ("HIPAA"). Specifically, the facility Information Technology Management reported that on September 19th and 20<sup>th</sup>, 2013, Respondent accessed the medical record of a former patient whom she knew to be currently employed at the

facility without a legitimate medical or legal reason. Additionally, Respondent allegedly disseminated the information to others causing the employee severe emotional distress by negligently allowing an unauthorized person to access the medical record on two (2) occasions. On August 6, 2015, Respondent responded to the Board's issued Demand for Written Statement Under Oath acknowledging the incident, expressing her remorse and apologizing to the employee.

The Board finds that Respondent's conduct on September 19th and 20th, 2013 of knowingly violating the HIPAA privacy rules which protect patients' medical records and other personal health information, constitutes acts of negligence and engaging in professional misconduct in violation of N.J.S.A. 45:1-21(d) and (e). The Board, having reviewed this matter and having considered the nature of the above conduct, and the parties desiring to resolve this matter, and the Board having determined that the within Order is sufficiently protective of the public health, safety and welfare, in lieu of further proceedings, and for other good cause shown;

IT IS on this 28<sup>th</sup> day of April, 2016

HEREBY ORDERED AND AGREED that:

1. Respondent is hereby reprimanded for the violations outlined above.

2. Respondent has successfully completed a Board-approved course on HIPAA and has submitted proof of same to the Board on December 2, 2015. The required course was taken in addition to Respondent's obligation to complete continuing nursing education.

3. Respondent shall obey all the laws of the State of New Jersey, the United States and their political subdivisions as well as all regulations, rules or laws pertaining to the practice of nursing in the State or jurisdiction in which she practices nursing. Respondent shall also obey all policies of the facility in which she practices nursing.

4. Any deviation from the terms of this Order without the prior written consent of the Board shall constitute a failure to comply with the terms of this Order. Upon receipt of any reliable information indicating that Respondent has violated any term of this Order, Respondent's license may be automatically suspended by the Board until further Order of the Board. Within fifteen days following receipt of such notice, Respondent may request a hearing to contest the entry of such an Order. At any such hearing, the sole issue shall be whether any of the information received was materially false. In addition, the Board reserves the right to bring further disciplinary action upon receipt of any new information.

NEW JERSEY STATE BOARD OF NURSING

By:

Patricia Murphy  
Patricia Murphy, PhD, APN  
Board President

I have read and understand  
the within Consent Order  
and agree to be bound by  
its terms.

Patricia Caristo  
Patricia Caristo, R.N.  
License # 26NR11851800